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George A. King (1855-1938)
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February 20, 2015

VIA ECF

Hon. Alan S. Trust
United States Bankruptcy Judge
United States Bankruptcy Court
Eastern District of New York
Alfonse M. D'Amato Federal Courthouse
290 Federal Plaza
Central Islip, New York 11722

Re: Cool Sheetmetal Inc. - Case No.: 13-74652-ast
Sub-Re: Stern v. Conair Corp., Adv. Pro. No. 14-8210-ast

Dear Judge Trust:

The undersigned and this firm represents Conair, Corp. in the above-noted adversarial matter. On January 20, 2015, when the parties last appeared, the Court directed that I advise the Court of Conair's position regarding Conair's position regarding (1) motion to remove the case, as a non-core case, i.e. whether Conair will waive its right to trial by a jury, and (2) settlement status.

In regard to settlement, on January 20, 2015, I provided opposing counsel, Mr. Kantrow documents evidencing a complete defense to the plaintiff's claims. On February 18, 2015, I e-mailed counsel additional summary pages that detail this defense. I proposed to Mr. Kantrow a meeting to address these issues. I recognize that it has taken some time to provide these documents to counsel; however, they are somewhat voluminous. The underlying issue is whether Conair had expended completion costs in excess of the contract balance claimed by plaintiff.

In regard to consent to have this matter heard by the Bankruptcy Court, or whether my client would rather have the matter heard by a jury or Federal Judge, I ask one more week to advise the Court of my client's decision. My client is consulting other attorneys and is looking for a second opinion, and I ask one more week to provide the Court with a final word on that issue.

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I appreciate the Court's and counsel's courtesy in this matter.

Respectfully submitted,


Peter M. Kutil

cc: Fred S Kantrow, Esq. on behalf of Trustee Richard L Stern (via e-mail and ECF)

PMK:sas